

Environmental Protection Agency

Pt. 63, Subpt. KK, Table 1

you must submit performance test data, except opacity data, electronically to EPA's Central Data Exchange by using the ERT (see [http://www.epa.gov/ttn/chief/ert/ert\\_tool.html](http://www.epa.gov/ttn/chief/ert/ert_tool.html)) or other compatible electronic spreadsheet. Only data collected using test methods compatible with ERT are subject to this requirement to be submitted electronically into EPA's WebFIRE database.

(2) All reports required by this subpart not subject to the requirements in paragraph (c)(1) of this section must be sent to the Administrator at the appropriate address listed in §63.13. If acceptable to both the Administrator and the owner or operator of a source, these reports may be submitted on electronic media. The Administrator retains the right to require submittal of reports subject to paragraph (c)(1) of this section in paper format.

[61 FR 27140, May 30, 1996, as amended at 71 FR 29804, May 24, 2006; 76 FR 22598, Apr. 21, 2011]

**§63.831 Implementation and enforcement.**

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart.

Contact the applicable U.S. EPA Regional Office to find out if this subpart is delegated to a State, local, or Tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§63.820 through 63.821 and 63.823 through 63.826.

(2) Approval of alternatives to the test method for organic HAP content determination in §63.827(b) and alternatives to the test method for volatile matter in §63.827(c), and major alternatives to other test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.

[68 FR 37354, June 23, 2003]

**§§ 63.832–63.839 [Reserved]**

TABLE 1 TO SUBPART KK OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART KK

General provisions reference	Applicable to subpart KK	Comment
§ 63.1(a)(1)–(a)(4) .....	Yes.	
§ 63.1(a)(5) .....	No .....	Section reserved.
§ 63.1(a)(6)–(a)(8) .....	No.	
§ 63.1(a)(9) .....	No .....	Section reserved.
§ 63.1(a)(10)–(a)(14) .....	Yes.	
§ 63.1(b)(1) .....	No .....	Subpart KK specifies applicability.
§ 63.1(b)(2)–(b)(3) .....	Yes.	
§ 63.1(c)(1) .....	Yes.	
§ 63.1(c)(2) .....	No .....	Area sources are not subject to subpart KK.
§ 63.1(c)(3) .....	No .....	Section reserved.
§ 63.1(c)(4) .....	Yes.	
§ 63.1(c)(5) .....	No.	
§ 63.1(d) .....	No .....	Section reserved.
§ 63.1(e) .....	Yes.	
§ 63.2 .....	Yes .....	Additional definitions in subpart KK.
§ 63.3(a)–(c) .....	Yes.	
§ 63.4(a)(1)–(a)(3) .....	Yes.	
§ 63.4(a)(4) .....	No .....	Section reserved.
§ 63.4(a)(5) .....	Yes.	

Pt. 63, Subpt. KK, Table 1

40 CFR Ch. I (7–1–12 Edition)

General provisions reference	Applicable to subpart KK	Comment
§ 63.4(b)–(c) .....	Yes.	
§ 63.5(a)(1)–(a)(2) .....	Yes.	
§ 63.5(b)(1) .....	Yes.	
§ 63.5(b)(2) .....	No .....	Section reserved.
§ 63.5(b)(3)–(b)(6) .....	Yes.	
§ 63.5(c) .....	No .....	Section reserved.
§ 63.5(d) .....	Yes.	
§ 63.5(e) .....	Yes.	
§ 63.5(f) .....	Yes.	
§ 63.6(a) .....	Yes.	
§ 63.6(b)(1)–(b)(5) .....	Yes.	
§ 63.6(b)(6) .....	No .....	Section reserved.
§ 63.6(b)(7) .....	Yes.	
§ 63.6(c)(1)–(c)(2) .....	Yes.	
§ 63.6(c)(3)–(c)(4) .....	No .....	Sections reserved.
§ 63.6(c)(5) .....	Yes.	
§ 63.6(d) .....	No .....	Section reserved.
§ 63.6(e)(1)(i) .....	No .....	See 63.823(b) for general duty requirement. Any cross-reference to 63.6(e)(1)(i) in any other general provision incorporated by reference shall be treated as a cross-reference to 63.823(b).
§ 63.6(e)(1)(ii) .....	No.	
§ 63.6(e)(1)(iii) .....	Yes.	
§ 63.6(e)(2) .....	No .....	Section reserved.
§ 63.6(e)(3) .....	No.	
§ 63.6(f)(1) .....	No.	
§ 63.6(f)(2)–(f)(3) .....	Yes.	
§ 63.6(g) .....	Yes.	
§ 63.6(h) .....	No .....	Subpart KK does not require COMS.
§ 63.6(i)(1)–(i)(14) .....	Yes.	
§ 63.6(i)(15) .....	No .....	Section reserved.
§ 63.6(i)(16) .....	Yes.	
§ 63.6(j) .....	Yes.	
§ 63.7(a)–(d) .....	Yes.	
§ 63.7(e)(1) .....	No .....	See 63.827 introductory text. Any cross-reference to 63.7(e)(1) in any other general provision incorporated by reference shall be treated as a cross-reference to 63.827 introductory text.
§ 63.7(e)(2)–(e)(4) .....	Yes.	
§ 63.8(a)(1)–(a)(2) .....	Yes.	
§ 63.8(a)(3) .....	No .....	Section reserved.
§ 63.8(a)(4) .....	No .....	Subpart KK specifies the use of solvent recovery devices or oxidizers.
§ 63.8(b) .....	Yes.	
§ 63.8(c)(1)–(3) .....	Yes.	
§ 63.8(c)(4) .....	No .....	Subpart KK specifies CMS sampling requirements.
§ 63.8(c)(5) .....	No .....	Subpart KK does not require COMS.
§ 63.8(c)(6)–(c)(8) .....	Yes .....	Provisions for COMS are not applicable.
§ 63.8(d)(1)–(2) .....	Yes.	
§ 63.8(d)(3) .....	Yes, except for last sentence.	
§ 63.8(e)–(f) .....	Yes.	
§ 63.8(g) .....	No .....	Subpart KK specifies CMS data reduction requirements.
§ 63.9(a) .....	Yes.	
§ 63.9(b)(1) .....	Yes.	
§ 63.9(b)(2) .....	Yes .....	Initial notification submission date extended.
§ 63.9(b)(3)–(b)(5) .....	Yes.	
§ 63.9(c)–(e) .....	Yes.	
§ 63.9(f) .....	No .....	Subpart KK does not require opacity and visible emissions observations.
§ 63.9(g) .....	Yes .....	Provisions for COMS are not applicable.
§ 63.9(h)(1)–(h)(3) .....	Yes.	
§ 63.9(h)(4) .....	No .....	Section reserved.
§ 63.9(h)(5)–(h)(6) .....	Yes.	
§ 63.9(i) .....	Yes.	
§ 63.9(j) .....	Yes.	
§ 63.10(a) .....	Yes.	
§ 63.10(b)(1) .....	Yes.	
§ 63.10(b)(2)(i) .....	No.	
§ 63.10(b)(2)(ii) .....	No .....	See 63.829(g) for recordkeeping of occurrence and duration of malfunctions. See 63.829(h) for recordkeeping of actions taken during malfunction. Any cross-reference to 63.10(b)(2)(ii) in any other general provision incorporated by reference shall be treated as a cross-reference to 63.829(g).

# Environmental Protection Agency

# Pt. 63, Subpt. KK, App. A

General provisions reference	Applicable to subpart KK	Comment
§ 63.10(b)(2)(iii) .....	Yes.	
§ 63.10(b)(2)(iv)–(b)(2)(v) .....	No.	
§ 63.10(b)(2)(vi)–(b)(2)(xiv) .....	Yes.	
§ 63.10(b)(3) .....	Yes.	
§ 63.10(c)(1) .....	Yes.	
§ 63.10(c)(2)–(c)(4) .....	No .....	Sections reserved.
§ 63.10(c)(5)–(c)(8) .....	Yes.	
§ 63.10(c)(9) .....	No .....	Section reserved.
§ 63.10(c)(10) .....	No .....	See 63.830(b)(6)(v) for reporting malfunctions. Any cross-reference to 63.10(c)(10) in any other general provision incorporated by reference shall be treated as a cross-reference to 63.830(b)(6)(v).
§ 63.10(c)(11) .....	No .....	See 63.830(b)(6)(v) for reporting malfunctions. Any cross-reference to 63.10(c)(11) in any other general provision incorporated by reference shall be treated as a cross-reference to 63.830(b)(6)(v).
§ 63.10(c)(12)–(c)(14) .....	Yes.	
§ 63.10(c)(15) .....	No.	
§ 63.10(d)(1)–(d)(2) .....	Yes.	
§ 63.10(d)(3) .....	No .....	Subpart KK does not require opacity and visible emissions observations.
§ 63.10(d)(4) .....	Yes.	
§ 63.10(d)(5) .....	No.	
§ 63.10(e) .....	Yes .....	Provisions for COMS are not applicable.
§ 63.10(f) .....	Yes.	
§ 63.11 .....	No .....	Subpart KK specifies the use of solvent recovery devices or oxidizers.
§ 63.12 .....	Yes.	
§ 63.13 .....	Yes.	
§ 63.14 .....	Yes.	
§ 63.15 .....	Yes.	

[61 FR 27140, May 30, 1996, as amended at 76 FR 22598, Apr. 21, 2011]

## APPENDIX A TO SUBPART KK OF PART 63—DATA QUALITY OBJECTIVE AND LOWER CONFIDENCE LIMIT APPROACHES FOR ALTERNATIVE CAPTURE EFFICIENCY PROTOCOLS AND TEST METHODS

### 1. Introduction

1.1 Alternative capture efficiency (CE) protocols and test methods that satisfy the criteria of either the data quality objective (DQO) approach or the lower confidence limit (LCL) approach are acceptable under § 63.827(f). The general criteria for alternative CE protocols and test methods to qualify under either the DQO or LCL approach are described in section 2. The DQO approach and criteria specific to the DQO approach are described in section 3. The LCL approach and criteria specific to the LCL approach are described in section 4. The recommended reporting for alternative CE protocols and test methods are presented in section 5. The recommended recordkeeping for alternative CE protocols and test methods are presented in section 6.

1.2 Although the Procedures L, G.1, G.2, F.1, and F.2 in § 52.741 of part 52 were developed for TTE and BE testing, the same procedures can also be used in an alternative CE protocol. For example, a traditional liquid/gas mass balance CE protocol could employ Procedure L to measure liquid VOC input and Procedure G.1 to measure captured VOC.

### 2. General Criteria for DQO and LCL Approaches

2.1 The following general criteria must be met for an alternative capture efficiency protocol and test methods to qualify under the DQO or LCL approach.

2.2 An alternative CE protocol must consist of at least three valid test runs. Each test run must be at least 20 minutes long. No test run can be longer than 24 hours.

2.3 All test runs must be separate and independent. For example, liquid VOC input and output must be determined independently for each run. The final liquid VOC sample from one run cannot be the initial sample for another run. In addition, liquid input for an entire day cannot be apportioned among test runs based on production.

2.4 Composite liquid samples cannot be used to obtain an “average composition” for a test run. For example, separate initial and final coating samples must be taken and analyzed for each run; initial and final samples cannot be combined prior to analysis to derive an “average composition” for the test run.